Registered No. M. 7463.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. VIII] Trivandrum, Thursday, 28th February 1963 / 9th Phalguna 1884 [No. 30

CONTENTS

Report of the Select Committee on the Kerala Stamp (Amendment) Bill, 1963 and the Bill as reported by the Committee.

Printed and Published by the S.G.P. at the Government Press, Trivandrum, 1963.

THE KERALA STAMP (AMENDMENT) BILL, 1963.

(Report of the Select Committee)

The Select Committee to which the Kerala Stamp (Amendment) Bill, 1963 was referred have considered the Bill clause by clause and now submit this, their report, with the Bill as reported by the Select Committee annexed thereto.

2. The Bill was published in the Gazette Extraordinary dated the 12th February, 1963.

3. The Bill was introduced in the Assembly on the 19th February 1963 and the motion for reference of the Bill to a Select Committee was adopted on the same date.

4. The Committee met on the 20th February 1963. The changes proposed by the Committee and the reasons therefor are set out in the following paragraphs:—

Entry 21.—The Committee are of the view that the rates of stamp duty proposed in the Bill for conveyance (entry 21) may be reduced to those prevailing in the neighbouring State of Madras. Accordingly the rates have been modified.

Entry 21A.—The Committee feel that the enhanced rate of stamp duty should apply only to those municipalities where the price of landed property has considerably increased and not to all municipalities as proposed in the Bill. They have accordingly modified the entry so as to have application to the following Municipal Corporations and Municipalities, namely; Trivandrum, Calicut, Quilon, Alleppey, Kottayam, Ernakulam, Mattancherry, Fort Cochin, Alwaye, Trichur, Palghat, Tellicherry and Cannanore.

The Committee also feel that the enhanced rate proposed in the Bill is also capable of some reductions. They have therefore fixed the rate of stamp duty at 6 per cent of the highest amount shown in each slab of that entry.

The entry has been modified accordingly.

Entry 42.—The lower rate of stamp duty on instruments of partnership may apply in all cases where the capital of the partnership does not exceed Rs. 1,000 instead of Rs. 500 as provided in the Bill. The Committee feel that the stamp duty of forty-five rupees proposed for instrument of partnership where the capital of partnership exceeds Rs. 500 is excessive. The Committee feel that this stamp duty need be levied only when the capital of partnership exceeds Rs. 1,000. The entry has been suitably modified.

The other changes made by the Committee are verbal.

R. Sankar,

Chairman of the Select Committee.

THE KERALA STAMP (AMENDMENT) BILL, 1963

(*As Amended by the Select Committee.*)

(Words underlined or sidelined indicate the amendments suggested by the Committee.)

A

BILL

to amend the Kerala Stamp Act, 1959.

Preamble.—WHEREAS it is expedient to amend the Kerala Stamp Act, 1959, for the purposes hereinafter appearing ;

BE it enacted in the Fourteenth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Stamp (Amendment) Act, 1963.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. *Amendment of Schedule.*—In the Schedule to the Kerala Stamp Act, 1959 (Act 17 of 1959),—

(i) for entries 1 to 10, (both inclusive) the following entries shall be substituted, namely :—

33/719/S

Sl. No.	Description of instrument.	Proper stamp duty.
" 1.	ACKNOWLEDGEMENT of a debt exceeding twenty rupees in amount or value written or signed by, or on behalf of a debtor in order to supply evidence of such debt in any book (other than a banker's pass book) or on a separate piece of paper when such book or paper is left in the creditor's possession: Provided that such acknowledgement does not contain any promise to pay the debt or any stipulation to pay interest or to deliver any goods or other property.	Fifteen naye paise
2.	ADMINISTRATION BOND including a bond given under Section 291 or Section 375 of the Indian Succession Act, 1925 (Central Act XXXIX of 1925). or Section 6 of the Government Savings Banks Act, 1873—	
(a)	Where the amount or value secured does not exceed Rs. 10	Twenty-five naye paise
	Where it exceeds Rs. 10 and does not exceed Rs. 50	Seventy-five naye paise
	Where it exceeds Rs. 50 and does not exceed Rs. 100	One rupee fifty naye paise
	Where it exceeds Rs. 100 and does not exceed Rs. 200	Three rupees
	Where it exceeds Rs. 200 and does not exceed Rs. 300	Four rupees fifty naye paise
	Where it exceeds Rs. 300 and does not exceed Rs. 400	Six rupees

Where it exceeds Rs. 400 and does not exceed Rs. 500	Seven rupees fifty naye paise
Where it exceeds Rs. 500 and does not exceed Rs. 600	Nine rupees seventy-five naye paise
Where it exceeds Rs. 600 and does not exceed Rs. 700	Eleven rupees twenty-five naye paise
Where it exceeds Rs. 700 and does not exceed Rs. 800	Twelve rupees seventy-five naye paise
Where it exceeds Rs. 800 and does not exceed Rs. 900	Fourteen rupees twenty-five naye paise
Where it exceeds Rs. 900 and does not exceed Rs. 1000	Fifteen rupees seventy-five naye paise
(b) In any other case	Eighteen rupees seventy-five naye paise
3. ADOPTION DEED, that is to say, any instrument (other than a Will), recording an adoption or conferring or purporting to confer an authority to adopt,	Thirty rupees
4. AFFIDAVIT, including an affirmation or declaration in the case of persons by law allowed to affirm or declare instead of swearing	Three rupees seventy-five naye paise

Exemptions

Affidavit or declaration in writing when made—

(a) as a condition of enlistment under the Army Act, 1950 (Central Act XLVI of 1950);

(b) for the immediate purpose of being filed or used in any Court or before the officer of any Court; or

(c) for the sole purpose of enabling any person to receive any pension or charitable allowance.

Sl. No.	Description of instrument	Proper stamp duty
5.	AGREEMENT OR MEMORANDUM OF AN AGREEMENT—	
	(a) If relating to the sale of a bill of exchange ;	Sixty naye paise.
	(b) If relating to the sale of Government security or share in an incorporated company or other body corporate ;	Subject to maximum of Thirty rupees, thirty naye paise for every Rs. 10,000 or part thereof of the value of the security or share.
	(c) If not otherwise provided for	Two rupees twenty-five naye paise.
	Exemptions	
	Agreement or memorandum of agreement—	
	(a) for or relating to the sale of goods or merchandise exclusively, not being a note or memorandum chargeable under No. 39 ;	
	(b) made in the form of tenders to the Central Government, or to the Government of Kerala, for, or relating to any loan	
6.	AGREEMENT RELATING TO DEPOSIT OF TITLE DEEDS, PAWN OR PLEDGE, that is to say, any instrument evidencing any agreement relating to—	
	(1) the deposit of title deeds or instruments constituting or being evidence of the title to any property whatever (other than marketable security), or	

(2) the pawn or pledge of movable property where such deposit pawn or pledge has been made by way of security for the repayment of money advanced or to be advanced by way of loan or an existing or future debt—

(a) if such loan or debt is repayable on demand or more than three months from the date of the instrument evidencing the agreement—

				If drawn singly (1) Rs.	nP.	If drawn in set of two for each part of the set (2) Rs.	nP.	If drawn in set of three for each part of the set (3) Rs.	nP.
(i) If the amount secured does not exceed Rs.			200	0	90	0	60	0	30
(ii) If it exceeds Rs.	200	but does not exceed Rs.	400	1	65	0	90	0	60
do.	400	do.	600	2	55	1	35	0	90
do.	600	do.	800	3	45	1	65	1	20
do.	800	do.	1000	4	20	2	25	1	35
do.	1000	do.	1200	5	10	2	55	1	65
do.	1200	do.	1600	6	75	3	45	2	25
do.	1600	do.	2500	10	20	5	10	3	45
do.	2500	do.	5000	20	25	10	20	6	75
do.	5000	do.	7500	30	45	15	15	10	20
do.	7500	do.	10000	40	50	20	25	13	50
do.	10000	do.	15000	60	75	30	45	20	25
do.	15000	do.	20000	81	00	40	50	27	00

Sl. No.	*Description of instrument*	*Proper stamp duty*					
		(1)		(2)		(3)	
		Rs.	nP.	Rs.	nP.	Rs.	nP.
	If it exceeds 20,000 but does not exceed Rs. 25,000	101	25	50	70	33	75
	do. 25,000 do. 30,000	121	50	60	75	40	50
	and for every additional Rs. 10,000 or part thereof in excess of Rs. 30,000.	40	50	20	25	13	50
	(b) If such loan or debt is repayable not more than 3 months from the date of such instrument.	Half the duty payable under clause (a) (i) or (ii) above					
	Exemption						
	Instrument of pawn or pledge of goods if unattested.						
7.	APPOINTMENT IN EXECUTION OF A POWER, whether of trustees or of property movable or immovable, where made by any writing not being a Will.	Fifty-two rupees fifty naye paise					
8.	APPRAISEMENT OR VALUATION made otherwise than under an order of a Court in the course of a suit.						
	(a) Where the amount does not exceed Rs. 1,000.	The same duty as a Bottomry Bond (No. 14) for such amount					
	(b) in any other case.	Eighteen rupees seventy-five naye paise					

Exemptions	
(a) Appraisement or valuation made for the information of one party only, and not being in any manner obligatory between parties either by agreement or operation of law.	
(b) Appraisement of crops for the purpose of ascertaining the amount to be given to a landlord as rent.	
9. APPRENTICESHIP DEED, including every writing relating to the service or tuition of any apprentice, clerk or servant placed with any master to learn any profession, trade or employment, not being articles of clerkship (No. II).	Eleven rupees twenty-five naye paise
10. ARTICLES OF ASSOCIATION OF A COMPANY	One hundred and fifty rupees
Exemption	
Articles of any association not formed for profit and registered under section 25 of the Companies Act, 1956 (Central Act 1 of 1956)";	

(ii) for entries 12 to 24, both inclusive the following entries shall be substituted, namely :—

"12. AWARD, that is to say, any decision in writing by an arbitrator or umpire not being an award directing a partition on a reference made otherwise than by the order of the court in the course of a suit—	
(a) Where the amount or value of the property to which the award, relates as set-forth in such award does not exceed Rs. 1,000;	The same duty as a Bottomry Bond (No. 14) for such amount

Sl. No.	Description of instrument	Proper stamp duty
	(b) If it exceeds Rs. 1,000 but does not exceed Rs. 5,000 ;	Twenty-two rupees and fifty naye paise
	and for every additional Rs. 1,000 or part thereof in excess of Rs. 5,000.	One rupee fifty naye paise subject to a maximum of one hundred and fifty rupees
13	BOND as defined by Section 2 (a), not being a debenture and not being otherwise provided for by this Act or by the Kerala Court Fees and Suits Valuation Act, 1959 or other enactment for the time being in force—	
	Where the amount or value secured does not exceed Rs. 10	Forty naye paise
	Where the amount exceeds Rs. 10 and does not exceed Rs. 50	Seventy-five naye paise
	Where it exceeds Rs. 50 and does not exceed Rs. 100	One rupee fifty naye paise
	Where it exceeds Rs. 100 and does not exceed Rs. 200	Three rupees forty naye paise
	Where it exceeds Rs. 200 and does not exceed Rs. 300	Five rupees twenty-five naye paise
	Where it exceeds Rs. 300 and does not exceed Rs. 400	Seven rupees fifteen naye paise
	Where it exceeds Rs. 400 and does not exceed Rs. 500	Nine rupees
	Where it exceeds Rs. 500 and does not exceed Rs. 600	Eleven rupees twenty-five naye paise
	Where it exceeds Rs. 600 and does not exceed Rs. 700	Thirteen rupees fifteen naye paise
	Where it exceeds Rs. 700 and does not exceed Rs. 800	Fifteen rupees
	Where it exceeds Rs. 800 and does not exceed Rs. 900	Sixteen rupees ninety naye paise
	Where it exceeds Rs. 900 and does not exceed Rs. 1,000	Eighteen rupees seventy-five naye paise
	And for every Rs. 500 or part thereof in excess of Rs. 1,000	Nine rupees forty naye paise

33/719/S

Exemptions

(a) Bail bonds and recognizances executed in Criminal cases

(b) Bond, when executed by any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital or any other object of public utility, shall not be less than a specified sum per mensem.

14 BOTTOMRY BOND, that is to say, any instrument whereby the master of a seagoing ship borrows money on the security of the ship to enable him to preserve the ship or prosecute her voyage—

Where the amount or value secured does not exceed Rs. 10	Forty naye paise
Where it exceeds Rs. 10 and does not exceed Rs. 50	Seventy-five naye paise
Where it exceeds Rs. 50 and does not exceed Rs. 100	One rupee ninety naye paise
Where it exceeds Rs. 100 and does not exceed Rs. 200	Three rupees seventy-five naye paise
Where it exceeds Rs. 200 and does not exceed Rs. 300	Five rupees sixty-five naye paise
Where it exceeds Rs. 300 and does not exceed Rs. 400	Seven rupees fifty naye paise
Where it exceeds Rs. 400 and does not exceed Rs. 500	Nine rupees forty naye paise
Where it exceeds Rs. 500 and does not exceed Rs. 600	Eleven rupees twenty-five naye paise
Where it exceeds Rs. 600 and does not exceed Rs. 700	Thirteen rupees fifteen naye paise
Where it exceeds Rs. 700 and does not exceed Rs. 800	Fifteen rupees
Where it exceeds Rs. 800 and does not exceed Rs. 900	Sixteen rupees ninety naye paise
Where it exceeds Rs. 900 and does not exceed Rs. 1,000	Eighteen rupees seventy-five naye paise
And for every Rs. 500 or part thereof in excess of Rs. 1,000	Nine rupees forty naye paise

Sl. No.	*Description of instrument.*	*Proper stamp duty.*
15	CANCELLATION — Instrument of (including any instrument by which any instrument previously executed is cancelled) if attested and not otherwise provided for	Twenty-two rupees fifty naye paise.
16	CERTIFICATE OF SALE (in respect of each property put up as a separate lot and sold) granted to the purchaser of any property sold by public auction by a Civil or Revenue Court or by the Government, Collector or other Revenue Officer—	
	(a) Where the purchase money does not exceed Rs. 10.	Fifty-five naye paise.
	(b) Where the purchase money exceeds Rs. 10 but does not exceed Rs. 25.	One rupee five naye paise.
	(c) In any other case.	The same duty as a conveyance (No. 21) for a consideration equal to the amount of the purchase money only.
17	CERTIFICATE OR OTHER DOCUMENT evidencing the right or the title of the holder thereof or any other person either to any share, scrip or stock in or of any incorporated company or other body corporate or to become proprietor of share, scrip or stock in or of any such company or body.	Thirty naye paise.
18	CHARTER PARTY, that is to say, any instrument except an agreement for the hire of a tugsteamer whereby a vessel or some specified principal part thereof is let for the specified purpose of the charterer whether it includes a penalty clause or not	Three rupees seventy-five naye paise.

19	CHITTY OR KURI variola where the total amount subscribed exceeds Rs. 100.	Three rupees.
20	COMPOSITION DEED, that is to say, any instrument executed by the debtor whereby he conveys his property for the benefit of his creditors or whereby payment of a composition or dividend on their debt is secured to the creditors or whereby provision is made for the continuance of the debtor's business under the supervision of Inspectors or under letters of licence for the benefit of his creditors.	Thirty-one rupees fifty naye paise.
21	CONVEYANCE [as defined by Section 2 (d) other than a conveyance specified in entry 21 A not being a transfer charged or exempted under No. 54].	
	Where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs. 50	Two rupees twenty-five naye paise.
	Where it exceeds Rs. 50 but does not exceed Rs. 100	Four rupees fifty naye paise
	Where it exceeds Rs. 100 but does not exceed Rs. 200	Nine rupees
	Where it exceeds Rs. 200 but does not exceed Rs. 300	Thirteen rupees fifty naye paise
	Where it exceeds Rs. 300 but does not exceed Rs. 400	Eighteen rupees
	Where it exceeds Rs. 400 but does not exceed Rs. 500	Twenty-two rupees fifty naye paise
	Where it exceeds Rs. 500 but does not exceed Rs. 600	Twenty-seven rupees
	Where it exceeds Rs. 600 but does not exceed Rs. 700	Thirty-one rupees fifty naye paise
	Where it exceeds Rs. 700 but does not exceed Rs. 800	Thirty-six rupees
	Where it exceeds Rs. 800 but does not exceed Rs. 900	Forty rupees fifty naye paise
	Where it exceeds Rs. 900 but does not exceed Rs. 1000	Forty-five rupees
	And for every Rs. 500 or part thereof in excess of Rs. 1,000.	Twenty-two rupees fifty naye paise

Sl. No.	Description of instrument	Proper stamp duty
21A.	CONVEYANCE [as defined in section 2 (d) not being a transfer charged or exempted under No. 54] of immovable property situated within the following Municipal Corporation and Municipalities, viz. Trivandrum, Calicut, Quilon, Alleppey, Kottayam, Ernakulam, Mattancherry, Fort Cochin, Alwaye, Trichur, Palghat, Tellicherry and Cannanore.	
	Where the amount or value of the consideration for such conveyance as set forth therein does not exceed Rs. 50	Three rupees
	Where it exceeds Rs. 50 but does not exceed Rs. 100	Six rupees
	Where it exceeds Rs. 100 but does not exceed Rs. 200	Twelve rupees
	Where it exceeds Rs. 200 but does not exceed Rs. 300	Eighteen rupees
	Where it exceeds Rs. 300 but does not exceed Rs. 400	Twenty-four rupees
	Where it exceeds Rs. 400 but does not exceed Rs. 500	Thirty rupees
	Where it exceeds Rs. 500 but does not exceed Rs. 600	Thirty-six rupees
	Where it exceeds Rs. 600 but does not exceed Rs. 700	Forty-two rupees
	Where it exceeds Rs. 700 but does not exceed Rs. 800	Forty-eight rupees
	Where it exceeds Rs. 800 but does not exceed Rs. 900	Fifty-four rupees
	Where it exceeds Rs. 900 but does not exceed Rs. 1,000	Sixty rupees
	And for every Rs. 500 or part there of in excess of Rs. 1,000	Thirty rupees

22	COPY OR EXTRACT, certified to be a true copy or extract by or if by order of any public officer and not chargeable under the law for the time being in force relating to court fees—	
	(i) If the original was not chargeable with duty or the duty with which it was chargeable does not exceed Rupee one	One rupee ninety naye paise
	(ii) In any other case	Three rupees seventy-five naye paise
	Exemptions	
	(a) Copy of any paper which a public officer is expressly required by law to make or furnish for record in any public office or for any public purpose.	
	(b) Copy of, or extract from, any register relating to births, baptisms, namings, dedications, marriages, divorces, deaths or burials	
23	COUNTERPART OR DUPLICATE of any instrument chargeable with duty and in respect of which the proper duty has been paid—	
	(i) The duty with which the original instrument was chargeable does not exceed Rs. 3.75	The same duty as is payable on the original
	(ii) In any other case	Three rupees seventy-five naye paise
	Exemption	
	Counterpart of any lease granted to a cultivator, when such lease is exempted from duty	

Sl. No.	Description of instrument	Proper stamp duty
24	CUSTOMS BOND—	
	(a) Where the amount does not exceed Rs. 1,000	The same duty as Bottomry Bond (No. 14) for such amount
	(b) In any other case	Twenty-two rupees fifty naye paise.";

(iii) in entry 32, in item (c) in the column headed "proper stamp duty", for the words "shall not exceed one rupee thirty naye paise", the following words shall be substituted, namely :—

"shall not exceed one rupee ninety-five naye paise";

(iv) for entries 33 to 49, (both inclusive) the following entries shall be substituted, namely :—

"33.	LETTER OF ALLOTMENT OF SHARES in any company or proposed company or in respect of any loan to be raised by any company or proposed company.	Thirty naye paise.
34.	LETTER OF LICENCE, that is to say, any agreement between a debtor and his creditors that the latter shall for a specified term suspend their claims and allow the debtor to carry on business at his own discretion.	Thirty-one rupees ninety naye paise.

35. MEMORANDUM OF ASSOCIATION OF A COMPANY—	
(a) If accompanied by Articles of Association under the Companies Act, 1956 (Central Act I of 1956)	Seventy-five rupees.
(b) If not so accompanied.	One hundred and eighty rupees.
Exemption	
Memorandum of any association not formed for profit and registered under the Companies Act, 1956 (Central Act 1 of 1956)	
36. MORTGAGE DEED, not being an agreement relating to Deposit of Title deed, pawn or pledge (No. 6), Bottomry Bond, (No. 14) Mortgage of a crop (No. 37), Respondentia Bond (No. 48) or Security Bond (No. 49)—	
(a) When possession of the property or any part of the property comprised in such deed is given by the mortgagor or agreed to be given.	Same duty as a Conveyance (No. 21), for a consideration equal to the amount secured by such deed.
(b) When possession is not given or agreed to be given as aforesaid.	Same duty as a Bottomry Bond (No. 14), for the amount secured by such deed.
Explanation	
A mortgagor who gives or has given to the mortgagee a power-of-attorney to collect rents, or gives or has given to the mortgagee a lease, of the property	

Sl. No.	Description of instrument	Proper stamp duty
	mortgaged or part thereof, is deemed to give possession thereof within the meaning of this article ;	
	(c) When a collateral or auxiliary or additional or substituted security or by way of further assurance for the above mentioned purpose where the principal or primary security is duly stamped—for every sum secured not exceeding Rs. 1,000	One rupee ninety naye paise.
	and	
	for every Rs. 1,000 or part thereof secured in excess of Rs. 1,000.	One rupee ninety naye paise.
	Exemptions	
	(1) Instruments executed by persons taking advances from Government for agricultural purposes or by their sureties as security for the repayment of such advances.	
	(2) Letter of hypothecation accompanying a bill of exchange.	
37.	MORTGAGE OF A CROP, including any instruments evidencing an agreement to secure the repay-	

33/719/S

ment of a loan made upon any mortgage of a crop is or is not in existence at the time of the mortgage —	
(a) When the loan is repayable not more than 3 months from the date of the instrument—	
for every sum secured not exceeding Rs. 200	Thirty naye paise
for every Rs. 200 or part thereof secured in excess of Rs. 200	Thirty naye paise
(b) When the loan is repayable more than three months but not more than 18 months from the date of the instrument —	
for every sum secured not exceeding Rs. 100	Fifty-five naye paise
for every Rs. 100 or part thereof secured in excess of Rs. 100	Fifty-five naye paise
38. NOTARIAL ACT, that is to say, any instrument, endorsement, note, attestation, certificate, or entry not being a Protest (No. 44) made or signed by a notary public in the execution of the duties of his office or by any other person lawfully acting as a notary public.	Three rupees forty naye paise
39. NOTE OR MEMORANDUM sent by a Broker or agent to his principal intimating the purchase or sale on account of such principal—	
(a) of any goods exceeding in value twenty rupees.	Forty naye paise

Sl. No.	Description of instrument.	Proper stamp duty.
	(b) of any stock or marketable security exceeding in value 20 rupees.	Subject to a maximum of Rupees Thirty, thirty naye paise for every Rs. 10,000 or part thereof of the value of the stock or security.
40.	NOTE OF PROTEST BY THE MASTER OF A SHIP	Three rupees.
41.	PARTITION—instrument of [as defined by Section 2 (K)]	The same duty as a Bottomry Bond (No. 14) for the amount of the value of the separated share or shares of the property. *N. B.*—The largest share remaining after the property is partitioned (or if there are two or more shares of equal value and not smaller than any of the other shares, then one of such equal shares) shall be deemed to be that from which the other shares are separated : Provided always that— (a). when an instrument of partition containing an agreement to divide property in severalty is executed and partition is effected in pursuance of such agreement, the duty chargeable upon the instrument effecting such partition shall be reduced by the amount of duty paid in respect of the first instrument, but shall not be less than one rupee and ninety naye paise.

(b) where land is held on Revenue Settlement for a period not exceeding thirty years and paying the full assessment, the value for the purpose of duty shall be calculated at twenty-five times the annual revenue.

(c) where a final order for effecting a partition passed by any Revenue Authority or any civil court, or an award by an arbitrator directing a partition is stamped with the stamp required for an instrument of partition, and an instrument of partition in pursuance of such order or award is subsequently executed, the duty on such instrument shall not exceed one rupee and ninety naye paise.

42. PARTNERSHIP—	
A. Instrument of—	
(a) Where the capital of the partnership does not exceed Rs. 1000	Seven rupees fifty naye paise
(b) In any other case	Forty-five rupees
B. Dissolution of—	Twenty-two rupees fifty naye paise
43. POWER OF ATTORNEY [as defined by Section 2 (p)] not being a proxy—	
(a) When executed for the sole purpose of procuring the registration of one or more documents in relation to a single transaction or for admitting execution of one or more such documents	One rupee fifteen naye paise

Sl. No.	*Description of instrument*	*Proper stamp duty*
	(b) When authorising one person or more to act in a single transaction other than the case mentioned in clause (a)	Two rupees twenty-five naye paise
	(c) When authorising not more than 5 persons to act jointly and severally in more than one transaction or generally	Fifteen rupees seventy-five naye paise
	(d) When authorising more than 5 but not more than 10 persons to act jointly and severally in more than one transaction or generally.	Thirty-three rupees seventy-five naye paise
	(e) When given for consideration and authorising the attorney to sell any immovable property.	The same duty as a Conveyance (No. 21), for the amount of the consideration.
	(f) In any other case.	Three rupees forty naye paise for each person authorised.
	Explanation For the purposes of this article, more persons than one when belonging the same firm shall be deemed to be one person.	
44	PROTEST OF BILL OR NOTE, that is to say, any declaration in writing made by a Notary Public or other person lawfully acting as such attesting the dishonour of a bill of exchange or promissory note.	Three rupees.

45	PROTEST BY THE MASTER OF A SHIP, that is to say, any declaration of particulars of her voyage drawn up by him with a view to the adjustment of losses or the calculation of averages and every declaration in writing made by him against the charterers or the consignees for not loading or unloading the ship, when such declaration is attested or certified by a Notary Public or other person lawfully acting as such.	Three rupees.
46	RECONVEYANCE OF MORTGAGED PROPERTY—	
	(a) If the consideration for which the property was mortgaged does not exceed Rs. 1,000	The same duty as a Conveyance (No. 21) for the amount such consideration as set forth in the reconveyance.
	(b) in any other case	Thirty-seven rupees fifty naye paise.
47	RELEASE, that is to say, any instrument (not being such a release as is provided for by Section 24), whereby a person renounces a claim upon another person or against any specified property—	
	(a) If the amount or value of the claim does not exceed Rs. 1,000	The same duty as a Bottomry Bond (No. 14) for such amount or value as set forth in the release.
	(b) in any other case	Eighteen rupees seventy-five naye paise.
48	RESPONDENTIA BOND, that is to say, any instrument securing a loan on the cargo laden or to be laden on board a ship and making repayment contingent on the arrival of the cargo at the port of destination.	The same duty as a Bottomry Bond (No. 14) for the amount of the loan secured.
49	SECURITY BOND OR MORTGAGE DEED, executed by way of security for the due execution of an	

Sl. No.	Description of instrument	Proper stamp duty
	office or to account for money or other property received by virtue thereof or executed by a surety to secure the due performance of a contract—	
	(a) when the amount secured does not exceed Rs. 1,000	The same duty as a Bottomry Bond (No. 14) for the amount secured.
	(b) in any other case.	Eighteen rupees seventy-five naye paise.
	Exemptions	
	Bond or other instruments, when executed—	
	(a) by any person for the purpose of guaranteeing that the local income derived from private subscriptions to a charitable dispensary or hospital, or any other object of public utility, shall not be less than a specified sum *per mensem* ;	
	(b) executed by persons taking advances from Government for agricultural purposes or by their sureties as security for the repayment of such advances.	
	(c) executed by officers of Government or their sureties to secure the due execution of an office or the due accounting for money or other property received by virtue thereof. ";	

(v) for entries 53 and 54, the following entries shall be substituted, namely :—

"53 SURRENDER OF LEASE—	
(a) when the duty with which the lease is chargeable does not exceed Eighteen rupees seventy-five naye paise	The duty with which such lease is chargeable.
(b) in any other case	Eighteen rupees seventy-five naye paise.
Exemption	
Surrender of lease, when such lease is exempted from duty.	
54 TRANSFER (whether with or without consideration)—	
(a) of debentures being marketable securities whether the debenture is liable to duty or not.	Seventy-five naye paise for every one hundred rupees or part thereof of the face amount of the debenture.
(b) of debenture stocks	Seventy-five naye paise for every one hundred rupees or part thereof of the face amount of the debenture stock.
(c) of any interest secured by a bond, mortgage deed or policy of insurance—	
(i) if the duty on such a bond, mortgage deed or policy does not exceed Eighteen rupees seventy-five naye paise	The duty with which such bond, mortgage deed or policy of insurance is chargeable.
(ii) in any other case.	Eighteen rupees seventy-five naye paise.

Sl. No.	Description of instrument	Proper stamp duty
	(d) of any property under the Administrator General's Act, 1913, (Section 25) ;	Thirty-three rupees seventy-five naye paise.
	(e) of any trust property without consideration from one trustee to another trustee or from a trustee to a beneficiary	Fifteen rupees seventy-five naye paise or such smaller amount as may be charged under Clauses (a) and (b) of this article.
	Exemptions	
	Transfer by endorsement—	
	(a) of a bill of exchange, cheque or promissory note ;	
	(b) of a bill of lading, delivery order, warrant for goods, or other mercantile document of title to goods ;	
	(c) of a policy of insurance ;	
	(d) of securities of the Central Government." ;	

(vi) for entries 56 and 57, the following entries shall be substituted, namely :—

"56	TRUST—	
	A. Declaration of—of or concerning any property when made by any writing not being a Will.	The same duty as a Bottomry Bond (No. 14) for a sum equal to the amount or value of the property concerned as set forth in the instrument but not exceeding Sixty-seven rupees fifty naye paise.

B. Revocation of—of or concerning any property when made by any instrument other than a Will.	The same duty as a Bottomry Bond (No. 14) for a sum equal to the amount or value of the property concerned as set forth in the instrument but not exceeding Forty-five rupees.
57 WARRANT FOR GOODS, that is to say, any instrument evidencing the title of any person therein named or his assigns or the holder thereof to the property in any goods lying in or upon any dock, warehouse or wharf, such instrument being signed or certified by or on behalf of the person in whose custody such goods may be.".	One rupee fifteen naye paise.

Legislature Secretariat,
Trivandrum.

D. TIRUMALAI,
Secretary.